

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

OLYMBEC USA LLC,)	
)	
Plaintiff,)	
)	
VS.)	
)	
CWFS INSIGHT LLC D/B/A)	Case No: 8:18-cv-02606-GJH
REALINSIGHT MARKETPLACE, ET)	
AL.,)	
)	
Defendants.)	

VOLUNTARY DISMISSAL WITH PREJUDICE OF ALL CLAIMS

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff Olymbec USA LLC (“Plaintiff”) hereby dismisses with prejudice all claims asserted by Plaintiff in the Plaintiff’s Second Amended Complaint (“SAC”) and in Plaintiff’s proposed Third Amended Complaint in the above-entitled action, Case No. 8:18-cv-02606-GJH (the “Action”), against all Defendants, each party to bear its own costs and attorneys’ fees.

This Action was initially filed by Plaintiff on September 29, 2017 with the Clerk of the Chancery Court of Shelby County, Tennessee, for the Thirtieth Judicial District at Memphis (“Shelby County Clerk”), styled *Olymbec USA LLC v. CWFS Insight LLC d/b/a/ RealINSIGHT Marketplace, CWCapital Asset Management LLC, CWFS-REDS LLC, and 6625 Lenox Park Boulevard Holdings, LLC*, Case No. CH-17-1425-I (hereinafter referred to as the “Complaint”). On October 31, 2017, Plaintiff amended the Complaint and filed the First Amended Verified Complaint (hereinafter referred to as the “FAC”) with Shelby County Clerk. Furthermore, on October 31, 2017, Plaintiff recorded an Abstract of Lien Lis Pendens and FAC as Instrument Nos. 17112123 and 17112124 respectively (collectively the “Lien Lis Pendens”) in the records of the

Register of Deeds of Shelby County, Tennessee. On January 22, 2018, Plaintiff amended the FAC and filed the SAC with the Shelby County Clerk. On January 26, 2018, certain Defendants removed this Action to the United States District Court for the Western District of Tennessee, Western Division (“Tennessee Federal Court”). On August 20, 2018, Judge John T. Fowlkes, Jr., of the Tennessee Federal Court, transferred this Action to the United States District Court for the District of Maryland, Southern Division (“Maryland Federal Court”). This Voluntary Dismissal will result in the dismissal with prejudice of this Action in its entirety, including the Lien Lis Pendens, the Complaint and FAC filed with the Shelby County Clerk, and the SAC and proposed Third Amended Complaint.

Dated this 15th day of November, 2018

Respectfully submitted,

/s/

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-AND-

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Counsel for Plaintiff

/s/

Christopher R. Mellott
(signed by Christopher R. Mellott with
permission of S. Joshua Kahane)

CERTIFICATE OF SERVICE

On November 15, 2018, I electronically submitted the foregoing document with the Clerk of Court for the U.S. District Court for the District of Maryland, using the electronic case filing system of the Court which will send notice to counsel of record registered with the CM/ECF system. I further certify that I also served a copy of the foregoing via U.S. mail, postage prepaid, upon the following:

Capmark Finance Inc.
c/o Corporation Service Company, Registered
Agent
251 Little Falls Drive
Wilmington, Delaware 19808

/s/
Christopher R. Mellott